

### **INTERVIEW SUMMARY**

Applicants thank the Examiner for the courtesies extended during a telephonic interview conducted on January 25, 2006. During the interview the Examiner and the Applicants' representative discussed the pending rejections of the claims under 35 U.S.C. § 112, as well as possible amendments to overcome those rejections. Support for those amendments was also discussed with regard to overcoming any rejection based on Karsten, *et al.* Applicants agreed to submit amended claims to be considered by the Examiner in a Request for Continued Examination.

### **REMARKS**

Reconsideration and allowance of this application and the amended claims therein are respectfully requested. As an initial matter, applicants request that the claims provided herein be entered into the record, and that the claims provided on December 20, 2005, and subsequently refused entry in the Advisory Action of January 12, 2006 not be entered. Applicants do request, however, that the amendments to the specification re-presented in that paper be entered.

Upon entry of the foregoing amendment, claims 1-24 have been cancelled, claims 25 and 26 have been presented but not entered, and claims 27-37 have been added. It is believed that the amendment accompanying this response introduces no new matter, and its entry is respectfully requested. Support for the addition of claim 27 is found in the table on page 5 of the English translation. Support for the addition of claims 28-31 and 33-35 is found on page 3, line 17. Support for the addition of claims 31 and 36 is found on page 3, line 18. Support for the addition of claim 32 is found on page 3, line 5, and in the table on page 5. Support for the addition of claim 37 is found on page 3, lines 14-16.

Applicants thank the Examiner for entry of the amendment filed on November 30, 2004. Applicants also thank the Examiner for acknowledgement and entry of the certified translation of the German foreign priority document 197 98 400.4 (30 December 1997).

### **Objection to the Specification**

The final Office Action maintains an objection to the specification. Applicants submit that this objection has been overcome by the amendments to the specification submitted in the December 20, 2005 Response.

Claim Objections

The final Office Action objects to claims 8, 9, and 10-13. Those claims have been canceled herein, and the cited language does not appear in any of the newly added claims. The objection is moot and should be withdrawn.

Claim Rejections Under 35 U.S.C. §§ 102 and 103

The final Office Action rejects claims 8 and 10-13 under 35 U.S.C. § 102 as allegedly anticipated by Karsten *et al.*, *Cancer Res.* 1998 Jun 15; **58** (12), 2541-2549. Claims 9 and 15-18 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Karsten. Those claims have been canceled, and the rejection is moot. Applicants further submit that this rejection is inapplicable to newly added claims 27-37, at least because those claims are entitled to a priority date under 35 U.S.C. § 120 that antedates the effective date of Karsten, *et al.* The rejection should be withdrawn, and the pending claims should be allowed.

Claim Rejections Under 35 U.S.C. § 112

Claims 8-13 and 15-18 stand rejected under 35 U.S.C. § 112, first paragraph, for alleged failure to comply with the written description requirement. Those claims have been canceled, and the rejection is moot. Applicants further submit that this rejection is inapplicable to newly added claims 27-37, all of which are supported as explained above.

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**CONCLUSION**


Applicants submit that the rejections and objections contained in the Office Action have been overcome or are moot. Entry of the amendments herein and allowance of all pending claims are respectfully requested.

If the Examiner believes that communication with the undersigned would facilitate allowance of this application or any allowance of claims therein, she is asked to please contact him at the number below.

Respectfully submitted,

BUCHANAN INGERSOLL PC

Date: February 21, 2006

  
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Duane A. Stewart III  
Reg. No. 54,468  
301 Grant Street  
20<sup>th</sup> Floor  
Pittsburgh, PA 15219  
Telephone: 412-562-1622  
Facsimile: 412-562-1041